

1 THE HONORABLE RICHARD A JONES

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3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 UNITED STATES OF AMERICA,) No. CR17-187RAJ
8 Plaintiff,)
9 v.) ORDER GRANTING UNOPPOSED
10 NICHOLAS TODDVELLE PINES,) MOTION TO CONTINUE TRIAL
11 Defendant.) AND PRETRIAL MOTIONS
DEADLINE

12 THE COURT has considered the unopposed motion to continue the trial date
13 and pretrial motions deadline and finds that:

14 (a) taking into account the exercise of due diligence, a failure to grant a
15 continuance in this case would deny counsel for the defendant the reasonable time
16 necessary for effective preparation due to counsel's need for more time to review the
17 evidence, consider possible defenses, and gather evidence material to the defense, as set
18 forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

19 (b) a failure to grant such a continuance in this proceeding would likely result in
20 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

21 (c) the additional time requested is a reasonable period of delay, as the defendant
22 has requested more time to prepare for trial, to investigate the matter, to gather evidence
23 material to the defense, and to consider possible defenses; and

24 (d) the ends of justice will best be served by a continuance, and the ends of
25 justice outweigh the best interests of the public and the defendant in any speedier trial,
26 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

1 (e) the additional time requested between the current trial date of October 10,
2 2017 and the new trial date is necessary to provide counsel for the defendant the
3 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
4 the facts set forth above.

5 IT IS THEREFORE ORDERED that the Defendant's Unopposed Motion to
6 Continue Trial Date and Pretrial Motions Deadline (Dkt. #19) is GRANTED. The trial
7 date in this matter shall be continued to February 12, 2018. All pretrial motions,
8 including motions in limine, shall be filed no later than January 4, 2018.

9 IT IS FURTHER ORDERED that the period of delay from the date of this order
10 to the new trial date of February 12, 2018, is excludable time pursuant to 18 U.S.C.
11 §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

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13 DATED this 1st day of September, 2017.

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17 The Honorable Richard A. Jones
18 United States District Judge
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